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Attorneys for Plaintiff,  
U.S. SMALL BUSINESS ADMINISTRATION,  
as Receiver for PROSPERO VENTURES, L.P.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

U.S. SMALL BUSINESS  
ADMINISTRATION, as Receiver for  
PROSPERO VENTURES, L.P.,

Plaintiff,

v.

HIGH GROWTH MANAGEMENT, LTD.,

Defendant.

NO. C 07-03735 MEJ  
Related Cases

No. C 07-3732 MEJ  
No. C 07-3733 MEJ  
No. C 07-3736 MEJ  
No. C 07-3737 MEJ  
No. C 07-3738 MEJ  
No. C 07-3739 MEJ  
No. C 07-3740 MEJ  
No. C 07-3741 MEJ

**NOTICE OF HEARING ON  
APPLICATION FOR JUDGMENT  
PURSUANT TO CLERK'S ENTRY OF  
DEFAULT**

Date: January 17, 2007  
Time: 10:00 a.m.  
Courtroom B, 15<sup>th</sup> Floor

TO DEFENDANT HIGH GROWTH MANAGEMENT, LTD.:

NOTICE IS HEREBY GIVEN that on January 17, 2008, at 10:00 a.m., or as soon thereafter  
as the matter may be heard in Courtroom B, 15<sup>th</sup> Floor of the above-entitled Court, located at 450

1 Golden Gate Avenue, San Francisco, CA, Plaintiff, U.S. SMALL BUSINESS ADMINISTRATION,  
2 as Receiver for PROSPERO VENTURES, L.P., a California Corporation (hereinafter "Plaintiff"),  
3 will move for an order that judgment be entered against Defendant.

4 The Application of Plaintiff for a judgment against Defendant is brought pursuant to Federal  
5 Rule of Procedure 55 and on the basis that Plaintiff, having shown to the satisfaction of the court that  
6 a clerk's default was entered against Defendant for failure to make an appearance in this matter,  
7 which was entered on October 18, 2007, and proof further being shown that Plaintiff is entitled to  
8 judgment against Defendant, and good cause appearing therefore, Plaintiff is entitled to judgment.

9 The Application will be based upon this notice of motion, on the memorandum of points and  
10 authorities set forth below, the declaration of Brian Stern and Christine J. Levin, and on the records  
11 and file herein, and on such evidence as may be presented at the hearing of this motion.

12 **Respectfully submitted,**

13  
14 Dated: December 11, 2007

COLEMAN & HOROWITT, LLP

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16  
17 By: /s/ Christine J. Levin  
18 CHRISTINE J. LEVIN  
19 Attorneys for Plaintiff  
20 U.S. SMALL BUSINESS  
21 ADMINISTRATION, as Receiver  
22 for PROSPERO VENTURES, L.P.  
23  
24  
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PROOF OF SERVICE

I declare that I am a resident of the County of Fresno. I am over the age of eighteen (18) years and not a party to the within action. My business address is 499 West Shaw, Suite 116, Fresno, California 93704.

On December <sup>12</sup>11, 2007, I served the foregoing document described as **NOTICE OF HEARING ON APPLICATION FOR JUDGMENT** on the interested parties, addressed as follows:

☒ BY MAIL - by placing ☒ a true and correct copy ☐ the original thereof enclosed in a sealed envelope with postage thereon fully prepaid in the firm's outgoing mail. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. It is deposited with United States Postal Service on that same day in the ordinary course of business.

☐ BY CALIFORNIA OVERNIGHT - by placing ☐ a true and correct copy ☐ the original thereof enclosed in a sealed envelope for delivery via California Overnight next day delivery to the addressee noted above.

☐ BY HAND DELIVERY - by delivering by hand and leaving a true copy with the person and at the address shown above.


☐ BY FACSIMILE TRANSMISSION - by causing a true facsimile thereof to be electronically transmitted to the parties, by using their facsimile number indicated below.

Facsimile No.

☐ STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on December <sup>12</sup>11, 2007, at Fresno, California.

  
\_\_\_\_\_  
Lisa R. Barr

**Via U.S. Mail**

Jerald P. Shaevitz  
24175 Dawnridge Dr.  
Los Altos Hills, CA 94024

Agent for Defendants,  
High Growth Management, Ltd.

**Via California Overnight:**

**Chambers Copies**

Hon. Maria-Elena James  
U.S. District Court, Northern District  
450 Golden Gate Avenue  
16<sup>th</sup> Floor, #1111  
San Francisco, CA 94102